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FD-17038729306

P.002/005

JUN 09 2004

**RESPONSE UNDER 37 CFR §1.116****EXPEDITED PROCEDURE****EXAMINING GROUP 3738**

Atty. Docket No. 4002-2729

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:	)	
	)	Before the Examiner
BOYD, Lawrence M. et al.	)	Comstock, David C.
	)	
Serial No. 09/869,755	)	Group Art Unit
	)	3732
Filed November 15, 2001	)	
	)	Submitted
TRUNCATED OPEN INTERVERTEBRAL	)	
SPACERS	)	June 9, 2004

**RESPONSE AND AMENDMENT TO  
FINAL OFFICE ACTION UNDER 37 CFR §1.116**

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Alexandria, VA 22313-1450

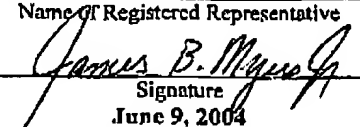
Sir:

In response to the Office Action dated March 9, 2004, Applicant respectfully requests entry of the following amendments and consideration of the accompanying remarks.

Amendments to the claims begin on page 2.

The remarks begin on page 4.

In addition, please provide any extensions of time that may be necessary and charge any fees that may be due to Deposit Account 23-3030, but do not include any payment of issue fees that are or may become due.

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents at	
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Name of Registered Representative	
	
Signature	
June 9, 2004	
Date of Signature	

RESPONSE AND AMENDMENT TO FINAL OFFICE ACTION

004002-002729.JRM 276790

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Atty. Docket 4002-2729

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**From:** James B. Myers (jmyers@uspatent.com)  
**Our Reference:** 4002-2729

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